

AN ACT
PROVIDING FOR CERTIFICATION REQUIREMENTS BY PERSONS INVOLVED
IN THE MANAGEMENT OF MANURE, AND INCLUDING PROVISIONS FOR
CONTINGENT IMPLEMENTATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 459.315, subsection 3, Code 2013, is amended to read as follows:

3. The department shall adopt, by rule, requirements for the certification, including educational program requirements. The department may establish different educational programs designed for commercial manure service representatives and confinement site manure applicators. The department shall adopt rules necessary to administer this section, including establishing certification standards, ~~which shall at least include standards for~~ and continuing instructional courses as provided in this subsection.

a. The department shall adopt rules establishing subjects for continuing instructional courses that emphasize practical and cost-effective methods to prevent manure spills and limit the impact of manure spills, especially from manure storage structures. The subjects may also include methods for transporting, handling, storing, and or applying manure; identifying the potential effects of manure upon surface water and groundwater; and procedures to remediate the potential effects of manure on surface water or groundwater.

~~a.~~ b. The department shall adopt by rule criteria for allowing a person required to be certified to complete either a written or oral examination.

~~b.~~ c. The department shall administer the continuing instructional courses, by either teaching the courses or

selecting persons to teach the courses, according to criteria as provided by rules adopted by the department. The department shall, to the extent possible, select persons to teach the continuing instructional courses. The department is not required to compensate persons to teach the continuing instructional courses. In selecting persons, the department shall consult with organizations interested in transporting, handling, storing, or applying manure, including the Iowa commercial nutrient applicators association and associations representing agricultural producers. The Iowa cooperative extension service in agriculture and home economics of Iowa state university of science and technology shall cooperate with the department in administering the continuing instructional courses. The Iowa cooperative extension service may teach continuing instructional courses, train persons selected to teach courses, or distribute informational materials to persons teaching the courses.

d. The department shall provide that the continuing instructional courses be made available via the department's internet site, the internet site of a person selected to teach the continuing instructional courses, or the Iowa cooperative extension service in agriculture and home economics of Iowa state university of science and technology.

~~e.~~ e. The department, in administering the certification program under this section, and the department of agriculture and land stewardship, in administering the certification program for pesticide applicators, may cooperate together.

Sec. 2. CONTINGENT IMPLEMENTATION. The department of natural resources shall fully implement section 459.315, subsection 3, paragraph "d", as enacted by this Act, as follows:

1. The department of natural resources must establish and administer a development project to effectuate the provision. The department shall begin the development project contingent upon being appropriated necessary moneys by the general assembly to support the project. The department shall complete the development project within twelve months after the effective date of the appropriation.

2. The department shall fully implement section 459.315, subsection 3, paragraph "d", as enacted by this Act, within twelve months after the development project is completed as provided in subsection 1.

3. Section 459.315, subsection 3, paragraph "d", is

repealed on July 1, 2018, if the general assembly does not appropriate necessary moneys to the department of natural resources, as provided in subsection 1, by that date.

KRAIG PAULSEN
Speaker of the House

PAM JOCHUM
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 312, Eighty-fifth General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2013

TERRY E. BRANSTAD
Governor